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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/708,948

11/09/2000

Ki Il Kim

3091

7590

05/10/2004

Irving Keschner
21515 Hawthorne Boulevard
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EXAMINER

TRAN, TUAN A

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 05/10/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/708,948

Applicant(s)

KIM, KI IL

Examiner

Tuan A Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

After further consideration and updated search, the Examiner has found new references to reject claims. The new Office Action is based on the Applicant's response filed on 11/07/2003 and as follows.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yahia (6,138,041) in view of Sheng et al. (6,037,746) or Jones, III et al. (6,379,178) or Susko et al. (5,996,866).

Regarding claims 15-17, Yahia discloses an apparatus for holding a cell phone having first and second surfaces on a vehicle dashboard inherently having top and front surface (See fig. 1 and col. 4 lines 39-59), the apparatus comprising: a frame 90, 92 adapted to hold the cell phone in an up-right position (See fig. 1); means 82, 114 for adjusting the angular position of the frame whereby the front surface of the cell phone can be positioned to face the interior of the vehicle (See figs. 1, 3B, 4 and col. 4 line 60 to col. 5 line 26); means 120 for connecting the cell phone to the cigarette lighter outlet inherently on the front surface of the dashboard (See figs. 1, 3B, 4 and col. 4 line 60 to

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col. 5 line 26). However, Yahia does not mention that means 120 for connecting the cell phone to the cigarette lighter outlet formed within the top surface of the dashboard.

Placing cigarette lighter outlets (or power source outlets) on various positions within the vehicle is purely a designer's choice in order to target a particular need of the user. For example, Sheng teaches to place a power source outlet in the trunk of the vehicle (See fig. 2 and col. 2 lines 25-31); Susko teaches to place a power source outlet within the console mounted in the vehicle (See fig. 3 and col. 2 lines 24-34); and Jones teaches to position a cigarette lighter on the front passenger-side dashboard. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to place a power source outlet/cigarette lighter outlet on the top surface of the dashboard for the advantage of accommodating the user's needs.

Regarding claim 18, Yahia & Sheng or Jones or Susko discloses as cited in claim 15. Yahia further discloses the frame includes a cell phone charging means 50 positioned therein (See fig. 3A and col. 4 lines 39-59).

Regarding claim 19, Yahia & Sheng or Jones or Susko discloses as cited in claim 18. Yahia further discloses the cell phone is connected to the power source outlet via the charging means 50 (See fig. 1, 3A).

Regarding claim 20, Yahia & Sheng or Jones or Susko discloses as cited in claim 15. Yahia further discloses the adjusting means 82, 114 is coupled to the connecting means 120 (See fig. 3B).

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2. Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yahia (6,138,041) in view of Sheng et al. (6,037,746) or Jones, III et al. (6,379,178) or Susko et al. (5,996,866) as applied to claim 15 above, and further in view of Siddoway et al. (6,473,631).

Regarding claim 21, Yahia & Sheng or Jones or Susko discloses as cited in claim 15. However, they do not mention that the cell phone includes a camera that being mounted to the front surface of the cell phone to view external and internal of the vehicle. Siddoway disclosed a cell phone including video camera 118 mounted to the front surface or rear surface of the cell phone that can view images captured from different directions (See figs. 1-2 and col. 3 lines 9-16). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the cell phone as disclosed by Yahia & Sheng or Jones or Susko by the cell phone as disclosed by Siddoway for the advantage of providing visual images of surrounding environment to the users in accordance to their intentions.

Claims 22-23 are rejected for the same reasons as set forth in claim 21.

Response to Arguments

Applicant's arguments with respect to claims 15-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan Tran** whose telephone number is **(703) 605-4255**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Vivian Chin**, can be reached at **(703) 308-6739**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Tuan Tran

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VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

5/3/04